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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,991	01/05/2000	BRYCE A. JONES	1264	1039
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EXAMINER				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 09/477,991	Applicant(s) JONES, BRYCE A.
Examiner BARBARA N. BURGESS	Art Unit 2457

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 March 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: NONE.

Claim(s) objected to: NONE.

Claim(s) rejected: 166-185.

Claim(s) withdrawn from consideration: 1-165 (previously cancelled).

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see statement below.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Salad Abdullahi/
Primary Examiner, Art Unit 2457

The Office notes the following argument(s):

- (a) The agent ultimately responding to the request originates a call to the customer requesting the call-back. The voice call does not originate from the user device.
- (b) Goss does not teach or suggest "receiving the voice call originating from the user device including the cookie".
- (c) Although the call-back request is ultimately transferred to the agent, the request does not constitute a voice call routed to the agent.
- (d) Goss does not teach or suggest "processing the cookie from the user device to select on of the call center resources".

10. Applicant's arguments filed have been fully considered but they are not persuasive.

In response to:

(a) Applicant's Specification discloses the web call server receives a call request message originating from the communication device. The call request message is any message or signaling used to begin the web call. Also, in some embodiments, the call request message is the web call itself (Specification, page 5, line 30, page 6, lines 1-3). Goss teaches the Contact Server receiving a VOIP contact request or call-back request from a customer. This request is sent by the customer's Internet device (column 2, lines 10-12, 21-27, 45-49, column 3, lines 30-33, column 7, lines 62-67).

Therefore, Goss undoubtedly discloses the voice call originating from the user device.

(b), (d) The customer requests contact with an agent, the Server uses the information from the cookies (information from the session between the customer's browser and the Server are stored in the cookies) to direct the request to a qualified agent. Goss states, "the Web Server maintains a session with the customer browser over the Internet using cookies or other session maintenance technology. This way, when the customer submits a call-back request, the Web Server can identify that customer for the purpose of matching the call-back request to a qualified agent" (column 7, lines 62-67).

Therefore, Goss indeed teaches "receiving the voice call originating from the user device including the cookie".

(c) Examiner thanks Applicant for acknowledging "the call-back request is ultimately transferred to the agent". Goss discloses many ways in which communication between a customer and agent

takes place. The preferred embodiment utilizes http and telephony communications. A customer with voice telephony or video telephony can communicate with the agent via these applications. A customer initiates a call-back request (voice call) using any of these application when the need arises to speak with an agent. The customer gives certain information in the request such as customer's name, telephone #, and other information. This call-back request is then routed to the appropriate agent. Goss explicitly states, "when a call-back request is received from a customer, it must be sent to an agent who is trained to service the corporate business client represented by the customer" (column 5, lines 11-15, column 9, lines 1-5, 66-67, column 10, lines 1-4). Therefore, the call-back request (voice call) is without a doubt routed to a selected call center resource (agent).